

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

LEROY OLIVER RUDDOCK,

Civil No. 11-0002 (JRT/FLN)

Petitioner,

v.

ORDER

UNITED STATES CITIZENSHIP AND
IMMIGRATION SERVICES,

Respondent.

Leroy Oliver Ruddock, c/o Arlene Ruddock-Terrelonge, 623 Berwick Boulevard, Waukegan, IL 60085, pro se petitioner.

Mary Madigan, Assistant United States Attorney, **OFFICE OF THE UNITED STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415; Patricia Bruckner, **US DEPARTMENT OF JUSTICE**, Post Office Box 878, Ben Franklin Station, Washington, DC 20044, for respondent.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Franklin L. Noel dated December 27, 2011. Based upon the Report and Recommendation of the Magistrate Judge [Docket No. 30], and all of the files, records and proceedings herein, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Respondent's motion to dismiss pursuant to Fed.R.Civ.P. 12(b)(1) and Fed.R.Civ.P 12(b)(6) is **GRANTED** [Docket No. 23].

2. This case is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 19, 2012
at Minneapolis, Minnesota

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge